GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:953
ANSWERED ON:19.07.2002
RULES FOR IMPORT OF GOODS FROM CHINA
SUBODH MOHITE

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the Government have notified the rules to take specific safeguard measures in respect of import of goods originating from China;

(b) if so, the details thereof;

(c) whether these measures are similar to anti-dumping actions; and

(d) if not, the difference between the two?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI RAJIV PRATAP RUDY)

(a) to (d) : As part of China`s accession process to the WTO, China has agreed to the member countries having certain flexibilities for imposition of product specific transitional safeguards and textiles safeguards against imports from China. However, before these measures can be resorted to, the concerned WTO members have to provide due process and objective criteria in determining existence of market disruption and providing public hearing to interested parties.

The Finance Bill2002-2003 has accordingly introduced Section 8C in the Customs Tariff Act whereby Central government can, after conducting such enquiry as it deems fit, impose a safeguard duty on the article imported from China which is causing or threatening to cause market disruption to the domestic industry. Detailed rules would be required to be framed pursuant to the proposed amendment.

These measures are different from anti dumping action, as such measures can be taken only in accordance with Article VI of GATT 1994 and the WTO`s Anti Dumping Agreement. On the other hand the product specific transitional safeguard measures and textiles safeguard against imports from China are in pursuance of the relevant provisions in China`s Protocol of Accession and the Working Party Report.